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Fifth Committee

Summary record of the 36th meeting
Held at Headquarters, New York, on Friday, 23 December, at 7.15 p.m.

Chairman: Mr. Ashe ..... (Antigua and Barbuda)
Acting Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Saha

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Organization of work

Closure of the work of the Fifth Committee during the main part of the sixtieth session of the General Assembly

The meeting was called to order at 8.55 p.m.

Agenda item 122: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Report of the Office of Internal Oversight Services on the inspection of programme and administrative management of the subregional offices of the Economic Commission for Africa (A/C.5/60/17)

Draft resolution A/C.5/60/L.17

1. *Draft resolution A/C.5/60/L.17 was adopted.*

Agenda item 127: Pattern of conferences (*continued*) (A/C.5/60/L.21)

Draft resolution A/C.5/60/L.21

2. *Draft resolution A/C.5/60/L.21 was adopted.*

Agenda item 128: Scale of assessments for the apportionment of the expenses of the United Nations (*continued*) (A/C.5/60/L.20)

Draft resolution A/C.5/60/L.20

3. *Draft resolution A/C.5/60/L.20 was adopted.*

Agenda item 132: Report of the Secretary-General on the activities of the Office of Internal Oversight Services (*continued*) (A/C.5/60/L.5)

Draft resolution A/C.5/60/L.5

4. *Draft resolution A/C.5/60/L.5 was adopted.*

Agenda item 134: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (*continued*) (A/60/7/Add.32 and A/60/600; A/C.5/60/L.15 and L.18)

5. **The Chairman** drew the Committee's attention to the report of the Secretary-General contained in document A/60/600, which provided information on the revised estimates arising from the effect of changes in rates of exchange and inflation on the proposed budgets for both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, and to the related report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) (A/60/7/Add.32). He suggested that the Committee should recommend to the General Assembly that it should take note of the revised estimates arising from the effect of changes in rates of exchange and inflation on the proposed budgets for both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia for the biennium 2006-2007.

6. *It was so decided.*

Draft resolutions A/C.5/60/L.15 and A/C.5/60/L.18

7. *Draft resolutions A/C.5/60/L.15 and A/C.5/60/L.18 were adopted.*

Agenda item 135: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*) (A/C.5/60/L.16 and L.19)

Draft resolutions A/C.5/60/L.16 and A/C.5/60/L.19

8. *Draft resolutions A/C.5/60/L.16 and A/C.5/60/L.19 were adopted.*

Agenda item 123: Programme budget for the biennium 2004-2005 (*continued*)

Final budget appropriations for the biennium 2004-2005 (A/C.5/60/L.14)

Draft resolution A/C.5/60/L.14

9. *Draft resolution A/C.5/60/L.14 was adopted.*

10. **Mr. Berti Oliva** (Cuba) said that, given the significance of the task at hand, namely, the adoption of draft resolutions with significant programme budget implications, the Committee should proceed more slowly and carefully in order to avoid making mistakes.

Agenda item 124: Proposed programme budget for the biennium 2006-2007 (*continued*)

Revised estimates: effect of changes in rates of exchange and inflation (A/60/7/Add.32 and A/60/599)

11. **The Chairman** drew the Committee's attention to the Secretary-General's report on the revised estimates arising from the effect of changes in rates of exchange and inflation (A/60/599) and the related report of ACABQ (A/60/7/Add.32). He suggested that the Committee should recommend to the General Assembly that it should take note of the revised estimates arising from the effect of changes in rates of exchange and inflation on the proposed programme budget for the biennium 2006-2007.

12. *It was so decided.*

Programme budget implications relating to the proposal programme budget for the biennium 2006-2007 (A/C.5/60/L.22)

Draft resolution A/C.5/60/L.22

13. *Draft resolution A/C.5/60/L.22 was adopted.*

14. **Mr. Mumbey-Wafula** (Uganda) said that since the establishment of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, his delegation had been concerned about the way in which it was run. As a lead agency in that particular field, the United Nations Children's Fund (UNICEF) was best suited to pursuing the implementation of the Office's mandate and therefore Uganda did not support the extension of that mandate. Nevertheless, since the majority of Member States wished to continue funding the activities of the Office, his delegation would not block consensus. It would, however, continue to keep the performance of the Office under review.

Questions relating to the proposed programme budget for the biennium 2006-2007 (A/C.5/60/L.25)

Draft resolution A/C.5/60/L.25

15. *Draft resolution A/C.5/60/L.25 was adopted.*

16. **Mr. Elji** (Syrian Arab Republic) pointed out that draft resolution A/C.5/60/L.25 had not been issued in all six official languages. He therefore requested the Chairman to read it out paragraph by paragraph.

17. **The Chairman** said that he understood the concerns expressed by the representative of the Syrian Arab Republic. Under normal circumstances, all the draft resolutions before the Committee would have been issued in all official languages. However, in view of the extraordinary time constraints facing the Committee, he appealed for flexibility.

Contingency fund: consolidated statement of programme budget implications and revised estimates (A/60/7/Add.31; A/C.5/60/25)

18. **The Chairman** drew the Committee's attention to the Secretary-General's report on the contingency fund: consolidated statement of programme budget implications and revised estimates (A/C.5/60/25) and the related report of ACABQ (A/60/7/Add.31). He suggested that the Committee should recommend to the General Assembly that it should note that a balance of $4,966,000 remained in the contingency fund.

19. *It was so decided.*

Draft report of the Fifth Committee (A/C.5/60/L.28)

20. **The Chairman** drew attention to the draft report of the Fifth Committee, which was divided into two parts. Part I described the actions taken by the Fifth Committee while part II contained the Committee's recommendations. Since draft resolution I, entitled "Questions relating to the proposed programme budget for the biennium 2006-2007", had already been adopted, he invited the Committee to take action on the remaining draft resolutions contained in part II of the report.

Draft resolution II (A/C.5/60/L.26)

21. *Draft resolution II was adopted.*

Draft resolution III (A/C.5/60/L.27)

22. *Draft resolution III was adopted.*

23. **Mr. Berti Oliva** (Cuba) said that draft resolution III had not been considered in detail by the Fifth Committee prior to its adoption. In particular, despite the fact that during informal consultations certain delegations had opted not to share their views on the resources requested by the Office for the Capital

Master Plan for the pursuit of its mandate, the Committee had nevertheless approved paragraph 3 of part II, pursuant to which $8,198,000 of the existing commitment authority would be converted into an appropriation with assessment for the year 2006. In fact, the amount approved fell short of the amount requested by the Office and could jeopardize its future work, which was ironic, given the fact that the delegations responsible for lowering the amount were precisely those that had purported to attach the greatest importance to the capital master plan. The double standards applied by certain delegations reflected their commitment not only to the Organization itself but also to the safety and security of its staff and premises.

24. **Mr. Mumbey-Wafula** (Uganda), referring to part VI of draft resolution III, said that his delegation had already expressed concern at the lack of staff with sufficient knowledge of the area in the Office of the Special Representative of the Secretary-General for the Great Lakes Region. He hoped that that concern would be addressed when the renewal of the mandate of the Office was discussed in January 2006 and intended to return to the issue during the first part of the Assembly's resumed sixtieth session.

25. His delegation remained concerned at the composition of the Panel of Experts on the Democratic Republic of the Congo, its ability to report accurately on developments, and its overall utility. In light of the improved bilateral relations in the region and the inflammatory nature of the inaccurate reports, his delegation failed to see any merit in extending the Panel's mandate.

26. **Mr. Ng'ongolo** (United Republic of Tanzania), referring to paragraph 4 of part XIII of draft resolution III, said that his delegation had joined the consensus because the Independent Audit Advisory Committee would play an important role in enhancing accountability within the United Nations and in promoting and safeguarding the Organization's integrity. However, to ensure the success and effectiveness of the Committee and to prevent the duplication of functions performed by other oversight bodies, its terms of reference must be clear. Accordingly, the Committee should be established after the approval of its terms of reference by the General Assembly.

27. **Mr. Mazumdar** (India) echoed the concerns expressed by the representative of Cuba. During informal consultations, the Fifth Committee had been informed that the Office for the Capital Master Plan would require approximately $16 million to pursue the implementation of its mandate, and he therefore wished to ask the Controller whether the amount mentioned in paragraph 3 of part II of draft resolution III was adequate.

28. **Ms. Taylor Roberts** (Jamaica), speaking on behalf of the Group of 77 and China, expressed concern about the hasty adoption of draft resolution III, in particular part II thereof, and pointed out that the Fifth Committee had not agreed on the figure of $8,198,000 contained in paragraph 3.

29. **Mr. Sach** (Controller) said that the figure contained in paragraph 3 of part II of draft resolution III represented requirements for the first four months of 2006, whereas the figure of $16 million referred to by the representative of India represented requirements for a six-month period. In accordance with paragraph 4 of part II of the draft resolution, the Fifth Committee would revert to the issue of the capital master plan in March 2006.

30. **Mr. Simancas** (Mexico) said that the documents approved by the Fifth Committee must reflect the agreements reached. In that connection, he drew attention to section D of draft resolution A/C.5/60/L.22 and asked the Secretariat to amend the language so that it echoed the wording of paragraph 11 of the Advisory Committee's report (A/60/7/Add.20).

Draft resolution IV (A/C.5/60/L.12)

31. *Draft resolution IV was adopted.*

Draft resolution V (A/C.5/60/L.13)

32. *Draft resolution V was adopted.*

33. **The Chairman** invited the Committee to adopt the draft report contained in parts I and II of document A/C.5/60/L.28.

34. *The draft report of the Fifth Committee was adopted.*

35. **Mr. Berti Oliva** (Cuba), referring to draft resolution III, enquired about the basis for part X thereof, entitled "Work plan on ECE reform", since no reports had been issued on that question and, as far as he could remember, the Fifth Committee had not discussed the workplan. In the absence of further

information about the workplan, which, on account of the fact that it entailed changes to the mandate of the Economic Commission for Europe (ECE), should have been submitted to the Committee for Programme and Coordination prior to its consideration by the Fifth Committee, his delegation could not agree to the adoption of part X of draft resolution III, or the adoption of the draft report as a whole.

36. **Ms. Zobrist Rentenaar** (Switzerland), responding to the query raised by the representative of Cuba, said that her delegation had introduced the text on the workplan for ECE during informal consultations on the proposed programme budget for 2006-2007. At that time, she had informed the Committee that the text had the support of all 55 States members of ECE that were represented in New York. An agreement on that text had been reached immediately prior to the current meeting and it had also been decided that the text would be included in the draft resolution contained in document A/C.5/60/L.27.

Agenda item 122: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Questions deferred for future consideration (A/C.5/60/L.29)

Draft decision A/C.5/60/L.29

37. *Draft decision A/C.5/60/L.29 was adopted.*

38. **The Chairman** informed the Committee that the first and second parts of the resumed session would take place in March and May 2006, respectively.

Agenda item 129: Human resources management (*continued*)

Draft resolution A/C.5/60/L.23

39. *Draft resolution A/C.5/60/L.23 was adopted with minor drafting changes.*

40. **Mr. Garcia** (United States of America) said that, as a strong supporter of effective and efficient human resources management, his delegation was pleased that the Fifth Committee had adopted draft resolution A/C.5/60/L.23. The amendments to the Staff Regulations and Rules were urgently needed and the financial disclosure amendment in particular represented a significant step towards the formal adoption and enforcement of standards of ethical conduct. He wished to draw the Secretary-General's attention to the fact that, pursuant to the draft resolution, a report must be submitted on the implementation of General Assembly resolution 56/280. He expected that that report would show that real progress had been made in the area of financial disclosure.

41. **Ms. Udo** (Nigeria) echoed previous delegations' concerns about the pace of the adoption of the draft resolutions before the Committee. Referring to the fifth paragraph of the section of draft resolution A/C.5/60/L.23 entitled "Composition of the Secretariat", she pointed out that many Member States, particularly those in Africa, would be seriously underrepresented by 2009. Consequently, she hoped that the Secretary-General would pay due heed to that paragraph and take urgent steps to address the issue.

Organization of work

42. **The Chairman** said that, while the Fifth Committee was the only Main Committee of the General Assembly to have consistently started its meetings on time, its working methods could be further streamlined. Accordingly, he had asked Ms. Galvez (United Kingdom) and Ms. Udo (Nigeria) to consult with Member States, the Secretariat, ACABQ and all other bodies that contributed to the work of the Fifth Committee and to report back to the Committee at the first part of the Assembly's resumed sixtieth session on possible ways of improving its working methods.

Closure of the work of the Fifth Committee during the main part of the sixtieth session of the General Assembly

43. **The Chairman** declared that the Committee had completed its work for the main part of the sixtieth session of the General Assembly.

The meeting rose at 9.50 p.m.